

Application Serial No. 10/524,695
Reply to Office Action of September 16, 2008

PATENT
Docket: CU-4085

REMARKS

1. In the Office Action, dated September 16, 2008, the Examiner states that Claims 6-24 are pending, Claims 1-5 have been cancelled, Claims 6-20 are withdrawn, and Claims 21-24 are under examination. In the Office Action, the Examiner objected to the drawings, rejected Claim 21 under 35 U.S.C. §112, second paragraph. The Examiner also rejected Claims 21-24 under 35 U.S.C. §102(b). By the present Amendment, Applicant amends the claims. The Applicant asserts that the rejections of the claims are overcome by amendment and/or are traversed by argument below.

2. In the claims, please amend Claim 21 to clarify that a pipe connector is claimed for connecting two pipes comprising a first and a second flange and including a concentric press surface. These amendments are made for clarity and are fully supported by the original disclosure. Claim 21 has been further amended to include some details of the second flange including that it has the concentric press surface, and a rotatable threaded collar. These features are fully disclosed in the originally filed application, for instance in Figure 4. The amendments to the claims can be viewed in the Amendments section in the Listing of Claims beginning on page 2 of this paper. No new matter has been added.

3. In the claims, please amend Claim 22. Claim 22 has been amended for clarity as well as to include the features of previously presented Claim 23 which is now cancelled herein. The amendments to the claims can be viewed in the Amendments section in the Listing of Claims beginning on page 2 of this paper. No new matter has been added.

4. In the claims, please cancel Claim 23.

5. In the claims, please amend Claim 24 for clarity. The amendments to the claims can be viewed in the Amendments section in the Listing of Claims beginning on page 2 of this paper. No new matter has been added.

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6. In the Office Action, the Examiner objected to the Drawings for not showing all of the features claimed in Claim 21. Specifically, the drawings did not illustrate "at least two" pipes. The Applicant submits that the offending language has been removed from Claim 21, and therefore, the feature does not need to be illustrated in the drawings and the objection is moot. The Applicant respectfully requests that the Examiner withdraw this objection to the drawings.

7. Rejection of Claims 21-24 under 35 U.S.C. §112, second paragraph.

In the Office Action, Claims 21-24 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. The Applicant submits that the offending language, "at least" has been removed from Claim 21, the independent claim, and therefore, this rejection as to Claims 21-24 is moot.

Furthermore, the Applicant believes that the amendments made to Claim 21 clarify the intent of the Applicant and further provide antecedent basis for the features found therein. The Applicant believes, therefore, that the amendments made to Claim 21 are fully responsive to the rejection. The Applicant respectfully asserts that these amendments made to Claim 21 overcome the rejection and requests that the Examiner withdraw this ground of rejection as to Claim 21 and the dependent claims, Claims 22 and 24. The Applicant respectfully notes that the rejection of Claim 23 is moot in light of it being cancelled herein.

8. Rejection of Claims 21-24 under 35 U.S.C. §102(b).

In the Office Action, the Examiner rejected Claims 21-24 under 35 U.S.C. §102(b) as being anticipated by Boscaljon et al. (U.S. 6,050,690). The Applicant respectfully notes that Claim 23 has been cancelled by this amendment and submits that the rejection of Claim 23 is moot in light of the amendment. The Applicant, therefore, request that the Examiner withdraw all ground of rejection of Claim 23.

The Applicant respectfully disagrees.

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For the sake of convenience, the Applicant has provided below amended
Claim 21 with portions of interest in bold as follows:

Claim 21:

A pipe connector for connecting two pipes, comprising a seal, a first and a second flange, a threaded portion, a nut, and a concentric press surface,

wherein an end portion of each pipe is equipped with the concentric press surface located immediately proximal to the periphery of the pipe and designed to be capable of taking an axial pressure from a preloading tool;

wherein the nut comprises a rear end portion arranged with an internal load bearing surface corresponding to the first flange, an opposing end portion arranged with an external flange of the nut designed to be able to take an axial pressure from the preloading tool, and a mid portion therebetween comprising an internal threaded portion; and

wherein the second flange comprises the concentric press surface and a rotatable threaded collar having a first end portion and a second end portion wherein the first end portion has an external toothed periphery and the second end portion is configured to engage the internal threaded portion of the nut of the first flange.

Simply put, the Applicant respectfully disagrees because the alleged prior art reference does not teach each and every limitation of Claim 21. To anticipate a claim, a reference must show each and every limitation of the claim. Boscaljon et al. do not teach or disclose a rotatable threaded collar. At least for this reason, Claim 21 is not anticipated by Boscaljon et al.

In addition, the Applicant respectfully disagrees with the Examiner on the reference disclosing a concentric press surface located on the second flange having the collar. The Applicant requests that the Examiner specify the location of the concentric press surface on the second flange. As noted in MPEP 2125, "the drawings must be evaluated for what they reasonably disclose and suggest to a person of ordinary skill in the art" and also the drawings of Boscaljon et al. can only anticipate the claims if they clearly show the structure which is claimed. The Applicant respectfully asserts that a person of skill in the art would not find a concentric press surface located on the second flange in the Boscaljon et al. disclosure because it does not exist there. A person of skill in the art would not believe that it would be there because the Boscaljon et al. disclosure does not incorporate a preloading tool, and therefore, there is no reason for Boscaljon et al. to have this feature.

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Furthermore, Boscaljon et al. does not disclose the feature of a toothed periphery as part of the nut or the collar. Rather, a roughened surface for gripping during locking or unlocking (col. 7 ll. 19-21) does not constitute a toothed periphery for interaction with a spinning tool.

The Applicant respectfully asserts that because all of the features of Claim 21 are not taught by the prior art Claim 21 is novel. The Applicant respectfully requests that the Examiner withdraw this ground of rejection of Claim 21. Claims 22 and 24 each depend from Claim 21 and also incorporate all of the features of Claim 21. The additional features of Claims 22 and 24 further serve to distinguish those claims. At least for the reasons stated above, the Applicant also respectfully requests that the Examiner withdraw the rejection of Claims 22 and 24.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. The Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date



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